



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

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BY ECF AND EMAIL

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Winton Delorbe-Luna*, 18 Cr. 384 (VEC)

Dear Judge Caproni:

The Government writes to request an extension of the deadline to file its opposition to Mr. Delorbe Luna's motion for compassionate release in the above-captioned matter. On July 15, 2020, the Court endorsed Mr. Delorbe Luna's motion for compassionate release, and directed the Government to respond no later than August 28, 2020. In its endorsement, the Court directed the Government to submit relevant disciplinary and medical records with its response.


On August 12, 2020, the Government requested that the BOP provide Mr. Delorbe Luna's disciplinary records and medical records, as well as any record of administrative requests for compassionate release. On August 13, 2020, BOP provided its own disciplinary and medical records, but advised that North Lake Correctional Institute ("North Lake"), where Mr. Delorbe Luna resides, maintains its own records as a privately operated facility, and that those records would take more time to collect. The Government sent a follow-up request on August 21, 2020, and again on August 24, 2020. Earlier today, Adam Johnson, Deputy Regional Counsel for BOP's Northeast Regional Counsel, informed the Government that GEO Group, which manages North Lake CI, experienced a cyber attack last week and cannot access records at this time.

The Government respectfully requests a one-week extension of its deadline to file its opposition to Mr. Delorbe Luna's motion, so that it can collect all necessary records from North Lake. The Government will submit a letter to the Court on September 1, 2020, advising the Court of its efforts to obtain Mr. Delorbe Luna's records.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By:


Sheb Swett
Assistant United States Attorney
Southern District of New York
(212) 637-6522

cc: Winton Delorbe-Luna (by mail)

The Government's obligation to respond to Mr. Delorbe-Luna's motion for compassionate release is ADJOURNED until such time as the Government is able to receive Mr. Delorbe-Luna's disciplinary and medical records from North Lake Correctional Institute. The Government shall have one week from the date of receipt of Mr. Delorbe-Luna's records to file its response. If by September 4, 2020, the Government still has been unable to obtain Mr. Delorbe-Luna's records, the Government must so inform the Court.

SO ORDERED.


08/26/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE